

32692
Customer Number

Patent
Case No.: 59078US004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: GORDON, RYAN D.
Application No.: 10/579604 Confirmation No.: 4787
Filed: November 2, 2004
Title: OLANZAPINE CONTAINING TRANSDERMAL DRUG DELIVERY
COMPOSITIONS

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
- ☒ transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

February 3, 2010 /Chris Johnson/
Date Signed by: Chris Johnson

Dear Sir:

This is in response to the Office Action dated January 4, 2010. Claims 1-20 are pending. Claims 1-20 were restricted under 35 USC § 121 as follows:

I. Claims 1-14, and 17-18 are said to be drawn to transdermal drug delivery device comprising (a) a pressure sensitive adhesive comprising a copolymer comprising copolymerized monomers, wherein said monomers comprise a first monomer selected from isooctyl acrylate, ethyl hexyl acrylate, n-butyl acrylate and combinations thereof, and a second monomer selected from acrylamide, vinyl acetate, hydroxy ethyl acrylate, acrylic acid, and combinations thereof; (b) at least one excipient selected from amine oxides, unsaturated fatty acids, isopropyl myristate, lauroglycol, α-terpineol, polyethylene glycol, sorbitan esters, lactic acid, dimethyl sulfoxide, and combinations thereof; and (c) olanzapine or a pharmaceutically acceptable salt thereof; and method of using the device.

II. Claims 15-16, and 19-20 are said to be drawn to a transdermal drug delivery composition comprising olanzapine or a pharmaceutically acceptable salt thereof, and a permeation enhancer selected from the group consisting of lauramine oxide, oleic acid, and combinations thereof, and method of using the device.